

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No 3465 To 3481 of 2000

with

FIRST APPEAL NO.2797 TO 2801 OF 2000

Hon'ble MR.JUSTICE Y.B.BHATT

and

Hon'ble MR.JUSTICE M.C.PATEL

1. Whether Reporters of Local Papers may be allowed : YES
to see the judgements?

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?

4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge? : NO

STATE OF GUJARAT

THRO' SPL. LAQ OFFICER & 1

versus

LAKHAJI GALAJI DECD. THRO' HEIR SEGHAJI LAKHAJI & ORS

Appearance:

MR ND GOHIL, AGP, AND MR ABHIJIT JOSHI for appellants and
MR AJ PATEL for respondents-original claimants in FA
Nos.3465 to 3481 of 2000

MS SD PANDIT, AGP, MR ABHIJIT JOSHI for appellants and MR
AJ PATEL for respondents-original claimants in FA No.2797
to 2801 of 2000.

CORAM : MR.JUSTICE Y.B.BHATT
and
MR.JUSTICE M.C.PATEL

Date of decision: 18/12/2000

ORAL JUDGEMENT

(Per : MR.JUSTICE Y.B.BHATT)

1. Heard the learned counsel for the respective parties. Appeals admitted. Mr. A.J. Patel waives service of the notice of appeal for the opponents-original claimants.
2. On a joint request of learned counsel for the respective parties these appeals are taken up for final hearing today.
3. These are appeals under section 54 of the Land Acquisition Act read with section 96, CPC, at the instance of the State and the acquiring body challenging the common judgement and awards passed under section 18 of the said Act.
4. The lands in question were acquired for the purpose of Narmada Project Main Canal and are situated in and around village Vansol, Taluka Kadi, District Mehsana. Notification under section 4 of the said Act was published on 28th May 1990. The Reference Court, after appreciating the evidence on record, valued the acquired lands at Rs.32.70 ps per square meter and also granted other statutory allowances permissible to the claimants under the said Act.
5. As a result of the hearing and discussion we find that this very Bench had dealt with the acquisition of lands situated in the very same village and for the very same project, wherein the date of section 4 notification was also identical viz. 28th May 1990. In the said decision, this very Bench had approved and upheld the valuation of the acquired lands at Rs.32.70ps per square meter. The said decision was rendered in First Appeal Nos.2759/2000 to 2777/2000 (Coram: Y.B. Bhatt & M.C. Patel JJ.) decided on 13th December 2000.
6. In the premises aforesaid, we see no reason to interfere with the valuation arrived at by the Reference Court by way of the present appeals. These appeals are therefore dismissed with no order as to costs.

